

JOHN THOMAS COLEY, )  
)  
Plaintiff, )  
)  
v. ) 1:17CV632  
)  
B.J. BARNES, et al., )  
)  
Defendants(s). )

On September 26, 2017, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 3, 4.) Plaintiff filed additional documents in support of his claims (Doc. 5) which the court construes as objections to the Recommendation.

This court has appropriately reviewed the portions of the Recommendation to which objections were made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

**IT IS THEREFORE ORDERED** that this action be, and is hereby, dismissed without prejudice to Plaintiff filing a new complaint, on the proper § 1983 forms, correcting the defects set out in the Order and Recommendation. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 9th day of November, 2017.

*William L. Ostun, Jr.*  
United States District Judge